



February 20, 2004

ENGROSSED HOUSE BILL No. 1344

DIGEST OF HB 1344 (Updated February 18, 2004 3:19 pm - DI 101)

Citations Affected: IC 8-1; IC 34-30; noncode.

Synopsis: Telephone 211 dialing code services. Recognizes as state policy the encouragement of the use of the 211 dialing code for public access to human services information and referrals. Prohibits a state human services agency from establishing a telephone line for information or referrals without first: (1) consulting with a 211 service provider in the area to be served by the telephone line about using 211 to provide access to the information or referrals; and (2) notifying the utility regulatory commission (IURC) of the consultation. Prohibits disseminating information about the availability of 211 services except as permitted in a rule or order of the IURC. Provides immunity from civil liability to a 211 service provider for acts and omissions related to the development and provision of 211 services. Establishes the 211 services account in the state general fund and specifies uses of the account. Provides that expenditures from the account are subject to state budget committee review. Requires the IURC to administer the account and report annually to the general assembly on the status of 211 services and funding.

Effective: July 1, 2004.

Welch, Hasler, Scholer, Yount

(SENATE SPONSORS — MERRITT, LANANE, BRODEN)

January 15, 2004, read first time and referred to Committee on Commerce and Economic Development.

January 22, 2004, amended, reported — Do Pass; referred to Committee on Ways and Means, pursuant to Rule 127.

January 29, 2004, amended, reported — Do Pass.

February 4, 2004, read second time, ordered engrossed.

February 5, 2004, engrossed. Read third time, passed. Yeas 76, nays 19.

SENATE ACTION

February 9, 2004, read first time and referred to Committee on Utility and Regulatory Affairs.

February 19, 2004, reported favorably — Do Pass.

EH 1344—LS 7284/DI 101+



C
o
p
y

February 20, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1344

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-19.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]:

4 Chapter 19.5. Telephone 211 Dialing Code Services for
5 Accessing Human Services Information

6 Sec. 1. As used in this chapter, "211" means the abbreviated
7 dialing code designated by the Federal Communications
8 Commission for telephone service providing access to human
9 services information and referrals.

10 Sec. 2. As used in this chapter, "211 service area" means a
11 geographic area in Indiana that is designated by the commission as
12 an area within which a recognized 211 service provider is
13 authorized to provide 211 services.

14 Sec. 3. As used in this chapter, "211 services" means
15 information and referral services provided through the use of 211
16 and intended to promote and provide access to human services.

17 Sec. 4. As used in this chapter, "account" refers to the 211

EH 1344—LS 7284/DI 101+



C
o
p
y

services account established by section 11 of this chapter.

Sec. 5. As used in this chapter, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

Sec. 6. As used in this chapter, "human services" means services provided by government or nonprofit organizations to ensure the health and well-being of Indiana citizens. The term includes services designed to provide relief or assistance after a natural or nonnatural disaster.

Sec. 7. As used in this chapter, "person" means an individual, a firm, a partnership, a corporation, or a limited liability company.

Sec. 8. As used in this chapter, "recognized 211 service provider" means an organization recognized by the commission as an appropriate administrator and authorized user of the 211 dialing code in a 211 service area.

Sec. 9. (a) It is the policy of the state to encourage the orderly and efficient use of 211 to:

- (1) provide access to human services; and
- (2) collect needed information about human services and the delivery of human services in Indiana.

(b) A state agency or department that provides human services may not establish a public telephone line or hotline to provide information or referrals unless the agency or department first:

- (1) consults with the recognized 211 service provider in the area to be served by the telephone line or hotline about using 211 to provide access to the information or referrals; and
- (2) notifies the commission of the consultation described in subdivision (1).

(c) A person may not disseminate information to the public about the availability of 211 or 211 services in an area of Indiana except in accordance with:

- (1) a rule adopted by the commission under IC 4-22-2; or
- (2) an order issued by the commission in a specific proceeding.

Sec. 10. A recognized 211 service provider and its employees, directors, officers, and agents are not liable to any person in a civil action for injuries or loss to persons or property as a result of an act or omission of the recognized 211 service provider, or its employees, directors, officers, or agents, in connection with:

- (1) developing, adopting, implementing, maintaining, or operating a 211 system;
- (2) making 211 available for use by the public; or
- (3) providing 211 services;

except for injuries or loss resulting from the willful or wanton

C
O
P
Y



misconduct of the 211 service provider or its employees, directors, officers, or agents.

Sec. 11. (a) The 211 services account is established in the state general fund to make 211 services available throughout Indiana. The account shall be administered by the commission.

(b) The account consists of the following:

(1) Money appropriated to the account by the general assembly.

(2) Funds received from the federal government for the support of 211 services in Indiana.

(3) Investment earnings, including interest, on money in the account.

(4) Money from any other source, including gifts and grants.

(c) Money in the account is continuously appropriated for the purposes of this section.

(d) The commission shall annually prepare a plan for the expenditure of the money in the account. The plan must be reviewed by the state budget committee before the commission may make expenditures from the fund.

(e) Money in the account may be spent for the following purposes:

(1) The creation of a structure for a statewide 211 resources data base that:

(A) meets the Alliance for Information Referral Systems standards for information and referral systems data bases; and

(B) is integrated with a local resources data base maintained by a recognized 211 service provider.

Permissible expenditures under this subdivision include expenditures for planning, training, accreditation, and system evaluation.

(2) The development and implementation of a statewide 211 resources data base described in subdivision (1). Permissible expenditures under this subdivision include expenditures for planning, training, accreditation, and system evaluation.

(3) Collecting, organizing, and maintaining information from state agencies, departments, and programs that provide human services, for access by a recognized 211 service provider.

(4) Providing grants to a recognized 211 service provider for any of the following purposes:

(A) The design, development, and implementation of 211

C
o
p
y



services in a recognized 211 service provider's 211 service area. Funds provided under this subdivision may be used for planning, public awareness, training, accreditation, and evaluation.

(B) The provision of 211 services on an ongoing basis after the design, development, and implementation of 211 services in a recognized 211 service provider's 211 service area.

(C) The provision of 211 services on a twenty-four (24) hour per day, seven (7) day per week basis.

(f) The expenses of administering the account shall be paid from money in the account.

(g) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested.

(h) Money that is in the account under subsection (b)(2) through (b)(4) at the end of state a fiscal year does not revert to the state general fund.

Sec. 12. (a) The commission shall, after June 30 and before November 1 of each year, report to the general assembly on the following:

(1) The total amount of money deposited in the account during the most recent state fiscal year.

(2) The amount of funds, if any, received from the federal government during the most recent state fiscal year for the support of 211 services in Indiana. The information provided under this subdivision must include the amount of any matching funds, broken down by source, contributed by any source to secure the federal funds.

(3) The amount of money, if any, disbursed from the account for the following:

(A) The creation of a structure for a statewide 211 resources data base described in section 11(c)(1) of this chapter.

(B) The development and implementation of a statewide 211 resources data base described in section 11(c)(1) of this chapter.

(C) Collecting, organizing, and maintaining information from state agencies, departments, and programs that provide human services, for access by a recognized 211 service provider.

The information provided under this subdivision must

C
o
p
y



1 identify any recognized 211 service provider or other
 2 organization that received funds for the purposes set forth in
 3 this subdivision.

4 (4) The amount of money, if any, disbursed from the account
 5 as grants to a recognized 211 service provider for any of the
 6 purposes described in section 11(c)(4) of this chapter. The
 7 information provided under this subdivision must identify the
 8 recognized 211 service provider that received the grant and
 9 the amount and purpose of the grant received.

10 (5) The expenses incurred by the commission in complying
 11 with this chapter during the most recent state fiscal year.

12 (6) The projected budget required by the commission to
 13 comply with this chapter during the current state fiscal year.

14 (b) The report required under this section must be in an
 15 electronic format under IC 5-14-6.

16 Sec. 13. The commission may adopt rules under IC 4-22-2 to
 17 implement this chapter.

18 SECTION 2. IC 34-30-2-24.2 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2004]: Sec. 24.2. IC 8-1-19.5-10 (Concerning
 21 a recognized 211 service provider and its employees, directors,
 22 officers, and agents for injuries or loss to persons or property as a
 23 result of an act or omission in connection with developing and
 24 providing 211 services).

25 SECTION 3. [EFFECTIVE JULY 1, 2004] (a) Notwithstanding
 26 IC 8-1-19.5-12, as added by this act, the first report required under
 27 IC 8-1-19.5-12, as added by this act, shall be submitted to the
 28 general assembly not later than November 1, 2005.

29 (b) This SECTION expires January 1, 2006.

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1344, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 1, delete "conduct" and insert "**misconduct**".

and when so amended that said bill do pass.

(Reference is to HB 1344 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 12, nays 0.

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1344, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation and to make an appropriation.

Page 3, line 14, after "(c)" insert **"Money in the account is continuously appropriated for the purposes of this section."**

(d) The commission shall annually prepare a plan for the expenditure of the money in the account. The plan must be reviewed by the state budget committee before the commission may make expenditures from the fund.

(e)".

Page 4, line 5, delete "(d)" and insert **"(f)"**.

Page 4, line 7, delete "(e)" and insert **"(g)"**.

Page 4, line 9, delete "Interest that".

Page 4, delete line 10.

Page 4, line 11, delete "(f)" and insert **"(h)"**.

Page 4, line 11, after "Money" insert **"that is"**.

Page 4, line 11, after "account" insert **"under subsection (b)(2) through (b)(4)"**.

and when so amended that said bill do pass.

(Reference is to HB 1344 printed January 23, 2004.)

CRAWFORD, Chair

Committee Vote: yeas 24, nays 2.

C
o
p
y



SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1344.

MERRITT

**C
o
p
y**



COMMITTEE REPORT

Madam President: The Senate Committee on Utility and Regulatory Affairs, to which was referred House Bill No. 1344, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1344 as printed January 30, 2004.)

MERRITT, Chairperson

Committee Vote: Yeas 8, Nays 0.

**C
o
p
y**

EH 1344—LS 7284/DI 101+

